

ORIGINAL

HERRICK, FEINSTEIN LLP
Raymond N. Hannigan (rhannigan@herrick.com)
Attorneys for Defendants Brian Street and
James Cohen
2 Park Avenue
New York, NY 10016
212.592.1400

SCANNED
(JAB 8/19/08)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
HSH NORDBANK AG NEW YORK
BRANCH, as Administrative Agent for
Itself and Certain Lenders,

Plaintiff, :

vs. :

MICHAEL SWERDLOW, BRIAN
STREET, and JAMES COHEN, :

Defendants. :

----- x
Pursuant to Rule 1.3(c) for the Local Rules of the United States District Courts for the Southern
and Eastern Districts of New York, I, Raymond N. Hannigan, a member in good standing of the
bar of this Court, hereby move for an Order allowing the admissions *pro hac vice* of

Applicant's Name: John K. Shubin
Firm Name: Shubin & Bass, P.A.
Address: 46 SW 1st St., 3rd Floor
City/State/Zip: Miami, FL, 33130
Phone Number: (305) 381-6060
Fax Number: (305) 381-9457

and

Applicant's Name: Jeffrey S. Bass
Firm Name: Shubin & Bass, P.A.
Address: 46 SW 1st St., 3rd Floor
City/State/Zip: Miami, FL, 33130
Phone Number: (305) 381-6060
Fax Number: (305) 381-9457

John K. Shubin is a member in good standing of the Bar of the State of Florida. Jeffrey S. Bass is a member in good standing of the Bars of the State of Florida and the District of Columbia. There are no pending disciplinary proceedings against either John K. Shubin or Jeffrey S. Bass in any State or Federal court.

August 18, 2008
New York, New York

Respectfully Submitted,

Raymond N. Hannigan
HERRICK, FEINSTEIN LLP
2 Park Avenue
New York, New York 10016
Phone: 212.592.1400
rhannigan@herrick.com
Attorneys for Defendants
Brian Street and James Cohen

HERRICK, FEINSTEIN LLP
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James Cohen
2 Park Avenue
New York, NY 10016
212.592.1400

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HSH NORDBANK AG NEW YORK
BRANCH, as Administrative Agent for
Itself and Certain Lenders,

Plaintiff,

vs.

MICHAEL SWERDLOW, BRIAN
STREET, and JAMES COHEN,

Defendants.

-----x
State of New York)

)

County of New York)

Raymond N. Hannigan, being duly sworn, hereby deposes and says as follows:

1. I am a partner at the law firm of Herrick, Feinstein, LLP in New York, New York.

I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendants' motion to admit John K. Shubin and Jeffrey S. Bass as counsel *pro hac vice* to represent Defendant Michael Swerdlow in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1987. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known John K. Shubin since 2008.

4. I have known Jeffrey S. Bass since 2008.
5. Mr. Shubin and Mr. Bass are both partners at Shubin & Bass, P.A., in Miami, Florida.
6. I have found both Mr. Shubin and Mr. Bass to be skilled attorneys and people of integrity. They are experienced in Federal practice and are familiar with the Federal Rules of Procedure.
7. Accordingly, I move for the admissions of John K. Shubin and Jeffrey S. Bass, *pro hac vice*.
8. I respectfully submit a proposed order, attached hereto, granting the motion.

WHEREFORE it is respectfully requested that the motion to admit John K. Shubin and Jeffrey S. Bass, *pro hac vice*, to represent Defendant Michael Swerdlow in the above captioned matter, be granted.

Respectfully submitted,

Raymond N. Hannigan
HERRICK, FEINSTEIN LLP
2 Park Avenue
New York, New York 10016
Phone: 212.592.1400
rhannigan@herrick.com
Attorneys for Defendants
Brian Street and James Cohen

Sworn to before me this
18 day of August 2008

Denise Rivera
Notary Public

Notary Public, State of New York
No. 01RM730628
Qualified in Orange County
Commission Expires August 31, 2009



The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET
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State of Florida)
County of Leon)

In Re: 771899
John Kressfield Shubin
Shubin & Bass
46 S.W. 1st St., Fl. 3
Miami, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 28, 1988.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 25th day of July, 2008.

A handwritten signature in black ink that reads "Willie Mae Shepherd".

Willie Mae Shepherd
Supervisor, Membership Records
The Florida Bar



The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET
TALLAHASSEE, FLORIDA 32399-2300

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State of Florida)

County of Leon)

In Re: 962279
Jeffrey Scott Bass
Shubin & Bass
46 S.W. 1st St., Ste. 300
Miami, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on October 2, 1992.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 25th day of July, 2008.

A handwritten signature in black ink that reads "Willie Mae Shepherd".

Willie Mae Shepherd
Supervisor, Membership Records
The Florida Bar

HERRICK, FEINSTEIN LLP
 Raymond N. Hannigan (rhannigan@herrick.com)
 Attorneys for Defendants Brian Street and
 James Cohen
 2 Park Avenue
 New York, NY 10016
 212.592.1400

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- x
 HSH NORDBANK AG NEW YORK : Case No. 08 Civ. 6131 (GEL)(DF)
 BRANCH, as Administrative Agent for :
 Itself and Certain Lenders, : **ORDER FOR ADMISSION**
 Plaintiff, : ***PRO HAC VICE***
 : **ON WRITTEN MOTION**
 :
 :
 vs. :
 :
 MICHAEL SWERDLOW, BRIAN :
 STREET, and JAMES COHEN, :
 :
 Defendants. :
 ----- x

Upon the motion of Raymond N. Hannigan, attorney for Defendants Brian Street and James Cohen, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: John K. Shubin
 Firm Name: Shubin & Bass, P.A.
 Address: 46 SW 1st St., 3rd Floor
 City/State/Zip: Miami, FL, 33130
 Phone Number: (305) 381-6060
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and

Applicant's Name: Jeffrey S. Bass
 Firm Name: Shubin & Bass, P.A.
 Address: 46 SW 1st St., 3rd Floor
 City/State/Zip: Miami, FL, 33130
 Phone Number: (305) 381-6060
 Fax Number: (305) 381-9457

are admitted to practice *pro hac vice* as counsel for Defendant Michael Swerdlow in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

August __, 2008
New York, New York

United States District/Magistrate Judge

CERTIFICATE OF SERVICE

I, David T. Feuerstein, hereby certify that on August 18, 2008, I caused the annexed Motion to Admit Counsel *Pro Hac Vice*, Order for Admission *Pro Hac Vice* on Written Motion and Affidavit of Raymond N. Hannigan In Support of Motion to Admit Counsel *Pro Hac Vice* to be served on the following counsel of record via Federal Express:

Justin N. Kattan
Sonnenschein Nath & Rosenthal LLP
1221 Avenue of the Americas
New York, New York 10020

Dated: August 18, 2008

David T. Feuerstein